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Attorneys for Plaintiff

HOOLAE PAOA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

HOOLAE PAOA,

Plaintiff,

vs.

JACQUELINE A. MARATI,
LINA'LA SIN CASINO, and DOES
1-10,

Defendants.

) CIVIL NO. CV07 00370 JMS-
) LEK

) (Other Non-Vehicle Tort)

)

) PLAINTIFF HOOLAE PAOA'S
) SCHEDULING CONFERENCE
) STATEMENT; CERTIFICATE
) OF SERVICE

)

) Conference:

) October 15, 2007

) 9:00 a.m.

) Honorable Magistrate Leslie E.

) Kobayashi

PLAINTIFF HOOLAE PAOA'S SCHEDULING CONFERENCE STATEMENT

Plaintiff Hoolae Paoa ("Paoa"), by and through his attorneys, Bays Deaver Lung Rose & Holma, hereby submits the following Scheduling Conference Statement pursuant to LR 16.2(b) of the Local Rules of Practice for the United States District Court for the District of Hawaii.

I. STATEMENT OF THE NATURE OF THE CASE

This case arises out of the Defendant Jacqueline A. Marati's ("Defendant") calculated actions in publishing a press release with the intention that it harm Mr. Paoa's reputation and be widely disseminated and received in Hawaii.

On or about July 31, 2006, Defendant wrote a press release that identified Paoa by name, and included false and defamatory statements attributed to Paoa, and numerous false and defamatory allegations that other individuals associated with Paoa had participated in fraudulent schemes to legalize gambling, with the intention that these false and defamatory statements be imputed to Paoa's actions and character, and to falsely imply that Paoa was participating in a fraudulent or unlawful scheme to legalize gambling in Guam.

Upon information and belief, Defendant repeatedly published, circulated, reproduced, and disseminated the false and defamatory statements directly to persons and/or residents of the State of Hawaii, with the intention that

the defamatory statements would be circulated to persons and/or residents of the State of Hawaii. Among other things, Defendant (1) transmitted the false and defamatory statements to people throughout Guam, including at least one Guam business headquartered in the State of Hawaii; (2) transmitted the false and defamatory statements to the news media with the intention that the statements be republished, broadcasted and ultimately received in the State of Hawaii; (3) emailed and/or transmitted the false and defamatory statements to persons and/or residents in the State of Hawaii; and (4) Caused the posting of false and defamatory statements on the internet with the intention that the defamatory statements be read by persons in the State of Hawaii.

Upon information and belief, the false and defamatory statements were, in fact, received and read by persons in the State of Hawaii.

Defendant published and distributed her false and defamatory statements with the intent to cause great injury to Paoa's personal and professional reputation in the State of Hawaii, City and County of Honolulu, and to expose Paoa to hatred, contempt, ridicule, and obloquy throughout the State of Hawaii, and the City and County of Honolulu. Defendant published and distributed the statements to further her own self-serving agenda, with callous and reckless disregard for the truth or falsity of the statements and the damage they would do to Paoa's reputation and business interests in the State of Hawaii.

II. JURISDICTION AND VENUE

This action was brought to federal court by Defendant's Notice of Removal, filed herein on July 11, 2007. Jurisdiction is predicated on diversity of citizenship, 28 U.S.C. 1332.

III. JURY TRIAL AND DEMAND

Paoa demanded a jury trial in his initial Complaint filed August 4, 2006.

IV. RULE 26 DISCLOSURES

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure ("FRCP") and Rule 26.1 of the Local Rules of Practice for the United States District Court for the District of Hawaii, counsel for Hoolae Paoa and Jacqueline A. Marati attended a Parties' Planning Meeting on September 20, 2007, and agree that the initial disclosures will be exchanged within 30 days of the report filed herein on September 25, 2007.

V. DISCOVERY AND MOTIONS

The parties have previously conducted limited discovery prior to removal of this action to federal court. There are no pending discovery requests or motions.

VI. SPECIAL PROCEDURES

Paoa does not anticipate the need for any special procedures in the Court's administration of this case.

VII. RELATED CASES

Paoa does not know of any related cases in State or Federal Court. Paoa is aware that there may be actions pending in Guam against the Defendants that relate to the press release, in which Paoa is not a party.

VIII. ADDITIONAL MATTERS

The parties discussed the possibility of the case being ready for trial in 8-12 months and the trial taking approximately three to five (3-5) days.

The parties have discussed alternative dispute resolution options, including, without limitation, the option of participation in the court's mediation program. The parties are prepared to consider alternative dispute resolution further and discuss options at the Scheduling Conference.

DATED: Honolulu, Hawaii, October 3, 2007.



BRUCE D. VOSS
MICHAEL C. CARROLL

Attorneys for Plaintiff HOOLAE PAOA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

HOOLAE PAOA,)	CIVIL NO. CV07 00370 JMS-
)	LEK
Plaintiff,)	(Other Non-Vehicle Tort)
)	
vs.)	CERTIFICATE OF SERVICE
)	
JACQUELINE A. MARATI,)	
LINA'LA SIN CASINO, and DOES)	
1-10,)	
)	
Defendants.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2007, a true and correct copy of the foregoing document was served on the parties listed below at their respective addresses by U.S. Mail, first-class postage prepaid:

LESLIE R. KOP
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Attorney for Defendant
LINA'LA SIN CASINO

DATED: Honolulu, Hawaii, October 3, 2007.

A handwritten signature in black ink, appearing to read "Bruce D. Voss", written over a horizontal line.

BRUCE D. VOSS
MICHAEL C. CARROLL

Attorneys for Plaintiff HOOLAE PAOA